

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOEL PEREZ,

Plaintiff

v.

JAMES J. LARSON, *et al.*,

Defendants

Civil No. 3:19-cv-1015

(Judge Mariani)

FILED
SCRANTON

SEP 30 2020

PER 
DEPUTY CLERK

ORDER

AND NOW, this 30th day of September, 2020, upon consideration of the Court's Memorandum and Order (Docs. 52, 53), granting the motion (Doc. 29) to dismiss by Correct Care Solutions, LLC, affording Plaintiff the opportunity to amend his claims against Correct Care, but forewarning him that failure to timely file a properly supported amended complaint would result in dismissal of this action without further notice of Court, and upon further consideration of Plaintiff's failure to file a proposed amended complaint, it is clear that Plaintiff has failed to comply with the Court Order (Doc. 53), or adhere to the standards set forth therein, and that because Plaintiff refuses to comply with the Court Order, this action is subject to dismissal, *see Donnelly v. Johns-Manville Sales Corp.*, 677 F.2d 339, 340-41 (3d Cir. 1982) (recognizing that a district court may *sua sponte* dismiss an action for failure to prosecute or failure to comply with court orders); *Iseley v. Bitner*, 216 F. App'x 252, 255 (3d Cir. 2007) (finding that dismissal by the court on its own initiative is warranted where plaintiff fails to comply with court orders directing adherence to rules governing joinder of parties

and claims) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-631 (1962)), **IT IS HEREBY**

ORDERED THAT:

1. The claims against Correct Care Solutions, LLC are **DISMISSED**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. Any appeal from this Order is **DEEMED** frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

A handwritten signature in black ink, appearing to read "Robert D. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge